

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

OPTUM, INC. and
OPTUM SERVICES, INC.,

Plaintiffs,

v.

Civil Action No. 19-cv-10101

DAVID WILLIAM SMITH,

Defendant.

**NON-PARTY'S MOTION TO INTERVENE AND TO OPPOSE MOTION TO UNSEAL
PORTION OF TRANSCRIPT OF JANUARY 31, 2019 HEARING**

Pursuant to Fed. R. Civ. P. 24(b), non-party TCORP62018 LLC ("ABC") hereby moves to intervene for the limited purpose of opposing Dow Jones & Company, Inc. and Boston Globe Media Partners, LLC's ("the Newspapers") Motion to Intervene and To Unseal Portion of Transcript of January 31, 2019 Hearing (ECF No. 64). In support of its opposition, ABC and David Smith submit the accompanying memorandum of law.

WHEREFORE, ABC respectfully requests that this Court grant ABC's Motion to Intervene and deny the Newspapers' motion to unseal.

Respectfully submitted,

TCORP62018 LLC

By its attorneys,

/s/ Brian Mead

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Dated: February 12, 2019

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2019, the undersigned filed a copy of the above and foregoing via the Court's CM/ECF system, which will send notification of such filing to all registered participants.

/s/ Brian Mead
Brian Mead

LOCAL RULE 7.1(a)(2) CERTIFICATE

I certify, pursuant to Local Rule 7.1(a)(2) that counsel for non-party ABC has conferred with counsel for Plaintiffs and counsel for Defendant regarding this Motion to Intervene. Plaintiffs and Defendant do not oppose ABC's Motion to Intervene, and Plaintiff takes no position on the Motion to Unseal or ABC's opposition to that motion.

/s/ Brian Mead
Brian Mead